

**58-37c-19.9 Anhydrous ammonia is a precursor -- Requirements regarding purposes and containers.**

- (1) A person is guilty of a class A misdemeanor who is not licensed to engage in a regulated transaction and is not excepted from licensure or exempted under Subsection (2), and who possesses any amount of anhydrous ammonia under circumstances not amounting to a violation of Subsection 58-37c-3(11)(k) or 58-37d-4(1)(a).
- (2) A person who possesses anhydrous ammonia has an affirmative defense to a charge under Subsection (1) if the person is:
  - (a) directly involved in or actively operating land in agricultural use as defined in Section 59-2-502;
  - (b) a retail distributor, wholesaler, manufacturer, warehouseman, or common carrier, or an agent of any of these persons, who possesses anhydrous ammonia in the regular course of lawful business activities;
  - (c) directly involved in or actively operating a business or other lawful activity providing or using anhydrous ammonia for refrigeration applications; or
  - (d) directly involved in or actively operating a lawful business enterprise, including an industrial enterprise, that uses anhydrous ammonia in the regular course of its business activities.

Amended by Chapter 262, 2013 General Session

Amended by Chapter 413, 2013 General Session